

Retention and Classification Report

Agency: Department of Commerce. Division of Consumer Protection (212)
P.O. Box 146704
160 East 300 South
Salt Lake City, UT 84114-6704
801-530-6601

Records Officer Shauna DeWolf

11260	* Advisory board accessioned records
09243	Business opportunity disclosure files
09248	Charitable organization files
09245	Complaint case files
00310	* Consumer alert newsletter
83947	Consumer alert press releases
83946	* Consumer protection information
11775	Credit service organization registration records
27749	Debt management services application files
12373	* Enforcement files
01478	* Executive correspondence
84037	Health spa bond and letter of credit files
01488	Housekeeping correspondence
28773	Immigration Consultants Registration Act documentation
84039	Inquiry case files
09246	Legal case files
01495	Minutes
27836	Pawnshop/secondhand merchant registration
26446	* Personal Introduction Services files
14274	Policies and procedures manuals
25794	Postsecondary proprietary school files
84050	Professional fundraiser case files
11776	Telephone solicitation registration records
01477	* Transient vendors receipts

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 11260

3

TITLE: Advisory board accessioned records

DATES: 1983-1989.

ARRANGEMENT: None

DESCRIPTION:

The accessioned records of the advisory board include minutes, 1984-1988 (probably series number 01495); board application/nomination forms; appointment letters; resumes; personnel forms (DPM-33, notice of payroll/personnel action; DPM-34, profile/events); travel reimbursement record, 1986-1989; correspondence, 1983-1988; monthly caseload summaries, 1985-1988; bylaws, 1984, 1985; creating legislation, 1985; proposal for advisory committee; criteria for handling complaints; and press releases, 1984.

RETENTION:

Retain 5 years.

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 6.

AUTHORIZED: 11/24/2003

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 5 years and then transfer to State Archives with authority to weed.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 11260

TITLE: Advisory board accessioned records

(continued)

APPRAISAL:

Administrative Historical

This disposition is based on the 1997 General Retention Schedule, Schedule 1, Item 38, and on the administrative needs expressed by the agency.

PRIMARY CLASSIFICATION:

Private

SECONDARY CLASSIFICATION(S):

Public. UCA 63G-2-301 (2008)

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9243

3

TITLE: Business opportunity disclosure files

DATES: 1979-

ARRANGEMENT: Alphabetical by company name

ANNUAL ACCUMULATION: 6.00 cubic feet.

DESCRIPTION:

These files document records required to complete an assisted marketing plan. The seller is required to supply this documentation to the division on a yearly basis. Failure to file the disclosure information can result in adjudicative proceedings. If a complaint has been filed against one of these companies, they will have a separate complaint file. Information includes financial statements, applications, correspondence, progress notes, products to be marketed, annual reports, individual detailed statements, contacts, disclosure statements, orders of cease and desist, and legal documents.

RETENTION:

Retain 10 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/1989

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy provided no litigation is pending.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9243

TITLE: Business opportunity disclosure files

(continued)

APPRAISAL:

Administrative Fiscal Legal

This disposition is based on the needs expressed by the agency.
UCA 13-15 (1991) specifies that documentation is required for
these disclosure files.

PRIMARY CLASSIFICATION:

Public filings

SECONDARY CLASSIFICATION(S):

Private. correspondence

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9248

4

TITLE: Charitable organization files

DATES: i 1987-

ARRANGEMENT: Alphabetical by company name.

ANNUAL ACCUMULATION: 4.50 cubic feet.

DESCRIPTION:

These files document charitable organizations that have registered for permits with the state to solicit contributions. By issuing a permit, the state does not certify the charitable worthiness of the organization, nor does it guarantee the accuracy of any representation or the truthfulness of any information. Charitable organizations are required by law to be registered with the division prior to soliciting funds. This series contains a permit to solicit, applications, articles of incorporation, bylaws, audit reports, financial disclosures, annual reports, and plans on how the monies will be collected and spent.

RETENTION:

Retain 10 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/1989

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy provided no litigation is pending.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9248

TITLE: Charitable organization files

(continued)

Computer data files: Retain in Office for 10 years and then delete.

APPRAISAL:

Administrative Fiscal Legal

Retention is comparable to RLIN series from Pennsylvania

PASV87-A770 and Wisconsin WIHV86-A2036.

Guidelines are in UCA 13-22 (1990).

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Protected

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 09/2015.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9245

3

TITLE: Complaint case files

DATES: 1983-

ARRANGEMENT: Alphabetical by company name, thereunder chronological by year.

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These files document complaints filed against a business or product. When a complaint is received, the division investigates to substantiate the claim and then sends a notice to the company. The company may settle directly with the consumer. If the problem is not resolved and the claim does not exceed \$1,000, the consumer is advised to pursue action in small claims court. If the complaint exceeds \$2,000 it becomes a civil action case. If a large number of complaints have been filed against a company, a class action suit may be filed by the State Attorney General's Office. Information includes complaint planning/status record, complaint number, date received, violation, total dollar loss, status, closure date, dollar amount recovered, receipts, photographs, correspondence, cancelled checks, case notes and reason for closure.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy provided no pending action or litigation

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 11, Item 66.

AUTHORIZED: 07/20/2015

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after closure and then transfer to State Records Center. Retain in State Records Center

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9245

TITLE: Complaint case files

(continued)

for 6 years and then destroy provided no pending action or litigation.

Microfilm master: Retain in State Records Center for 7 years and then destroy.

Microfilm duplicate: Retain in State Records Center for 7 years and then destroy.

APPRAISAL:

Administrative Fiscal Legal

This disposition is based on RLIN records from Pennsylvania (PASV87-A770), Wisconsin (WIHV86-A2036), and the advise of counsel from the Department of Commerce.

PRIMARY CLASSIFICATION:

Protected

SECONDARY CLASSIFICATION(S):

Public. If used as public action

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 310

4

TITLE: Consumer alert newsletter

DATES: i 1979-1985.

ARRANGEMENT: Chronological.

ANNUAL ACCUMULATION:

DESCRIPTION:

The Consumer Alert Newsletter is produced by the Division of Consumer Protection to educate the public on various consumer protection issues. Included are articles on how to avoid problems, announcements of conferences and seminars, and issues related to consumer protection needs. Exact frequency of publication appears to be arbitrary.

RETENTION:

Retain Permanent. In Archives custody.

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 25.

AUTHORIZED: 05/11/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Administrative Historical

This disposition is based on the secondary historical value to researchers interested in consumer affairs issues and the needs expressed by the agency.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 310

TITLE: Consumer alert newsletter

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 83947

4

TITLE: Consumer alert press releases

DATES: 2013

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

These files document press releases on current consumer products and business practices which focus on fraud cases.

RETENTION:

Retain Archives custody.

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Administrative Historical

This disposition is based on the secondary historical value to researchers interested in consumer protection issues and the needs expressed by the agency.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 83947

TITLE: Consumer alert press releases

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 83946

4

TITLE: Consumer protection information

DATES: i 1983-1986.

ARRANGEMENT: Chronological.

ANNUAL ACCUMULATION:

DESCRIPTION:

These pamphlets are produced by the Division of Consumer Affairs to educate the public on its rights and responsibilities. Included is information on business practices, consumer protection, and the responsibilities in business transactions. Any necessary legal information is also included.

RETENTION:

Retain Archives custody.

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Administrative Historical

This disposition is based on the secondary historical value to researchers interested in consumer protection issues and the needs expressed by the agency.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 83946

TITLE: Consumer protection information

(continued)

PRIMARY CLASSIFICATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 09/2015.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 11775

3

TITLE: Credit service organization registration records

DATES: 1991-

ARRANGEMENT: Alphabetical by company name

ANNUAL ACCUMULATION: 0.50 cubic feet.

DESCRIPTION:

These records document the monitoring by the Department of Commerce, Division of Consumer Protection, of credit service organizations. UCA 13-21-2 (1992), defines credit services organizations as "any person who, with respect to the extension of credit by others, sells, provides, performs, or represents that he can or will sell, provide, or perform in return for the payment of money or other valuable consideration for improving credit records, obtaining extensions of credit for buyers, and/or providing advice" to buyers concerning credit issues. Information includes investigative notes, telephone scripts, copies of business licenses, articles of incorporation, and completed application forms.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 09/1993

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after legal action is completed, or firm fails to renew, and then transfer to State Records Center. Retain in State Records Center for 8 years and then destroy.

APPRAISAL:

Administrative

This disposition is based on the administrative need expressed by the agency.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 11775

TITLE: Credit service organization registration records

(continued)

PRIMARY CLASSIFICATION:

Protected

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 27749

3

TITLE: Debt management services application files

DATES: 2007-

ARRANGEMENT: alphabetical by name

ANNUAL ACCUMULATION:

DESCRIPTION:

The applications/attachments which make up this series are created to enforce the Uniform Debt Management Services Act. The applications are viewed to make sure the debt management companies are in compliance and provide required information. Documents include debt management applications, correspondence between companies and Consumer Protection, insurance policies, background checks, articles of incorporation, educational materials, client contracts, 501(c)(3) determination letter, employee resumes, and financial statements.

RETENTION:

Retain 10 years

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 10/2011

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 2 years and then transfer to State Records Center provided no litigation is pending. Retain in State Records Center for 8 years and then destroy.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 27749

TITLE: Debt management services application files

(continued)

APPRAISAL:

Administrative

PRIMARY CLASSIFICATION:

Protected 63G-2-305(2); 63G-2-305(9); 63G-2-305(51)

SECONDARY CLASSIFICATION(S):

Private. 63G-2-302(1)(h); 63G-2-302(1)(l); 63G-2-302(2)(b);
63G-2-302(2)(d)

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 12373

3

TITLE: Enforcement files

DATES: 1993-2013.

ARRANGEMENT: Alphabetical by surname

ANNUAL ACCUMULATION:

DESCRIPTION:

These records document the final disposition of cases investigated by the Division of Consumer Protection. These records are not complete legal files but final dispositions of investigations undertaken by the division. The complete legal case is filed under series 9246. These records are created by the division's legal counsel and are used to monitor compliance and/or further violations. Information includes assurances of voluntary compliance, stipulations, agreements, final actions, investigation information and notes.

RETENTION:

Retain permanently.

DISPOSITION:

Retain in agency custody.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 12/1993

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 12373

TITLE: Enforcement files

(continued)

APPRAISAL:

Administrative

This disposition is based on the administrative needs expressed by the agency.

PRIMARY CLASSIFICATION:

Private

SECONDARY CLASSIFICATION(S):

Protected. Attorney work product

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1478

3

TITLE: Executive correspondence

DATES: 1984-2013.

ARRANGEMENT: Alphabetical by subject.

ANNUAL ACCUMULATION:

DESCRIPTION:

Records not duplicated elsewhere that document how the office is organized and how it functions, its pattern of action, its policies, procedures and achievements.

RETENTION:

Retain 1 year then transfer to Archives.

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

AUTHORIZED: 01/12/1990

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Archives with authority to weed.

APPRAISAL:

Historical

Disposition based on the value of these records in documenting agency achievements, policies, programs, and function.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1478

TITLE: Executive correspondence

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 84037

4

TITLE: Health spa bond and letter of credit files

DATES: i 1987-

ARRANGEMENT: Alphabetical by company name

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These files document health spas registered and bonded with the division. All spas are required to have a performance bond issued by a surety authorized to do business Utah. A letter of credit issued by a financial institution is accepted in lieu of a bond. This bond must be payable to the division and is held for the benefit of any consumer who incurs damages as a result of the spa's violation of the requirements established by law. Information includes complaints, news articles, correspondence, performance bond and/or letter of credit.

RETENTION:

Retain 10 years

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy provided no litigation is pending.

APPRAISAL:

Administrative Fiscal Legal

Retention is comparable to RLIN records from Pennsylvania PASV87-A770 and Wisconsin WIHV86-AZ036. Guidelines can be found in UCA 13-23 (1990).

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 84037

TITLE: Health spa bond and letter of credit files

(continued)

PRIMARY CLASSIFICATION:

Protected

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1488

3

TITLE: Housekeeping correspondence

DATES: 1988-

ARRANGEMENT: Alphabetical by subject.

ANNUAL ACCUMULATION:

DESCRIPTION:

Records that are general in nature and do not relate directly to primary program responsibilities of an office or agency. Letters of appreciation, congratulations, charity fund, parking assignments, etc.

RETENTION:

Retain 2 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 62.

AUTHORIZED: 04/02/2015

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 1 year and then destroy.

APPRAISAL:

Administrative

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1488

TITLE: Housekeeping correspondence

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 28773

1

TITLE: Immigration Consultants Registration Act documentation

DATES: 2012-

ARRANGEMENT:

ANNUAL ACCUMULATION:

DESCRIPTION:

These records support the agency's function to protect consumers from unfair and deceptive business practices by documenting the registration of all individuals who receive compensation for nonlegal immigration consultations according to Utah Code 13-49-201(2015). Records include applications, contracts, service price lists, and any records related to the review and approval of a consultant's status.

RETENTION:

Retain 10 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is proposed and has not yet been approved.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 2 years and then transfer to State Records Center. Retain in State Records Center for 8 years and then destroy.

APPRAISAL:

Administrative Legal

Utah Code 13-49-2(2015) requires the registration of Immigration Consultants.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 28773

TITLE: Immigration Consultants Registration Act documentation

(continued)

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Private.

Utah Code 63G-2-302(2)(d)(2015)

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 84039

4

TITLE: Inquiry case files

DATES: 2013

ARRANGEMENT: Alphabetical by company name

ANNUAL ACCUMULATION:

DESCRIPTION:

These files document information and general statements sent to the division anonymously by a consumer proposing that a company be investigated. If the company is investigated by the division and allegations can be substantiated, then a complaint file is opened and this information transferred into it. Information includes correspondence and investigative information.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 07/1989

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then destroy.

APPRAISAL:

Administrative

This disposition is based on the needs expressed by the agency.

PRIMARY CLASSIFICATION:

Private

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9246

3

TITLE: Legal case files

DATES: i 1980-

ARRANGEMENT: Alphabetical by company name

ANNUAL ACCUMULATION: 4.00 cubic feet.

DESCRIPTION:

These files document information and legal records necessary to prosecute cases. The court case is tried by the State Attorney General's office, a private attorney, or the division's adjudicative hearing judge. Further civil action can be taken if the plaintiff does not agree with the decision. Information includes complaints, case summaries, supplemental reports, action checklists, investigative reports and notes, legal papers, affidavits, depositions, findings of fact, conclusions of law, summons, judgments, orders, and correspondence. Some files may also contain exhibits, but these are limited to photocopies of contracts, checks, receipts, invoices, and newspaper advertisements.

RETENTION:

Retain 15 years

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 11/2001

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 15 years and then transfer to State Archives with authority to weed.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 9246

TITLE: Legal case files

(continued)

APPRAISAL:

Administrative Legal

These records have legal and administrative value to the department.

PRIMARY CLASSIFICATION:

Protected

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1495

3

TITLE: Minutes

DATES: 1988-

ARRANGEMENT: None

ANNUAL ACCUMULATION:

DESCRIPTION:

Records created by a committee or conference, including advisory committees, relating to executive establishment, organization, membership, and policy. Includes agenda, meeting minutes, final reports, and related records documenting the accomplishments of official boards and committees. May include audio and video recordings if minutes are not taken.

RETENTION:

Retain 1 year then transfer to Archives.

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 59.

AUTHORIZED: 03/18/2015

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Archives with authority to weed.

APPRAISAL:

Administrative

This disposition is based on the administrative needs expressed by the agency.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1495

TITLE: Minutes

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 27836

1

TITLE: Pawnshop/secondhand merchant registration

DATES: 2005-

ARRANGEMENT: Alphabetical by name

ANNUAL ACCUMULATION:

DESCRIPTION:

The registration forms which make up this series are created to maintain current annual registrations for all pawnshops, secondhand merchants, and law enforcement agencies operating in Utah that are required to maintain access to the central database created under the Pawnshop and Secondhand Merchandise Transaction Information Act (UCA ?13-32a-101 et seq.).

These registration forms are used to annually register pawnshops, secondhand merchants, and law enforcement agencies that are required to have access to the central database.

The registration forms contain business and personal contact information for the registering entities, including names, addresses, and telephone numbers of the entities. Dates of birth and Social Security numbers are not required for registration.

RETENTION:

Retain 10 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is proposed and has not yet been approved.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 2 years and then transfer to State Records Center. Retain in State Records Center for 8 years and then destroy.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 27836

TITLE: Pawnshop/secondhand merchant registration

(continued)

APPRAISAL:

Administrative Fiscal

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 26446

3

TITLE: Personal Introduction Services files

DATES: 1998-2013.

ARRANGEMENT: Alphabetical by name

ANNUAL ACCUMULATION:

DESCRIPTION:

These records contain information about companies that were licensed under the Personal Introductions Services Act. They contain applications, copies of permits to operate, names of registrants and correspondence between the Division of Consumer Protection and the dating service. These services were regulated by the Department of Commerce, Division of Consumer Protection.

RETENTION:

Retain 3 years

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 5.

AUTHORIZED: 02/16/2007

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 2 years and then destroy.

APPRAISAL:

Administrative

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 26446

TITLE: Personal Introduction Services files

(continued)

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Private. UCA 63G-2-302(2)(d)

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 14274

3

TITLE: Policies and procedures manuals

DATES: 1992-

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

Policies and procedures that govern the operation and administration of various programs within the organization.

RETENTION:

Retain permanently.

DISPOSITION:

Retain in agency custody.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 1, Item 70.

AUTHORIZED: 04/07/2015

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

APPRAISAL:

Administrative

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 14274

TITLE: Policies and procedures manuals

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 25794

3

TITLE: Postsecondary proprietary school files

DATES: 2003-

ARRANGEMENT: Alphabetical by school name, thereunder alphabetical by student name.

ANNUAL ACCUMULATION: 3.00 cubic feet.

DESCRIPTION:

These are application files used in issuing permits to Postsecondary Proprietary Schools throughout the state. Applications are registration statements completed by registered and exempt institutions or schools which are operating or intend to operate in Utah. Applications are completed in accordance with UCA 13-34-108 (2004) which requires applicants to disclose such information as school name and location, description of facilities, graduation requirements, enrollment qualifications, and tuition. Also included in these records are student files retained by the Division upon closure of a school. Student files contain enrollment agreements, financial information, course description, and other data pertinent to their attendance at the school.

RETENTION:

Retain 12 years.

DISPOSITION:

Destroy provided no litigation is pending

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/2005

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 25794

TITLE: Postsecondary proprietary school files

(continued)

Center for 12 years and then destroy provided no litigation is pending.

Computer data files: Retain in Office until administrative value has been met and then delete.

APPRAISAL:

Administrative Legal

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 84050

4

TITLE: Professional fundraiser case files

DATES: i 1987-

ARRANGEMENT: Alphabetical by company name

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These files document professional charitable organizations that have registered for permits with the state to solicit contributions. These organizations solicit and distribute monies to more than one charity. The professional organization retains a percentage of the monies collected and include fingerprints, photographs, applications, articles of incorporation, bylaws, audit reports, financial disclosures, annual reports, and a plan on how the monies are to be collected and distributed.

RETENTION:

Retain 10 years if no litigation

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 07/1989

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy provided no litigation is pending.

Computer data files: Retain in Office for 10 years and then delete provided no litigation is pending.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 84050

TITLE: Professional fundraiser case files

(continued)

APPRAISAL:

Administrative Fiscal Legal

Retention is comparable to RLIN series from Pennsylvania
PASV87-A770 and Wisconsin WIHV86-A2036.
Guidelines are in UCA 13-22 (1990).

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Protected. Investigative and staff notes, driver's license number,
complaints, and fingerprint information

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 11776

3

TITLE: Telephone solicitation registration records

DATES: 1990-

ARRANGEMENT: Alphabetical by business name

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These records document the monitoring by the Department of Commerce, Division of Consumer Protection, of telemarketing firms. Telemarketing companies are required to register with the Division of Consumer Protection and persons may not operate or authorize the operation of telemarketing solicitations without registering. The division charges a fee under guidelines provided by law. Also, the division is required to maintain a list of individuals that do not want to receive telemarketing solicitations (UCA 13-25-(2) (1992)). Information includes staff investigative notes, telephone scripts, business licenses, articles of incorporation, and completed application forms.

RETENTION:

Retain 10 years

DISPOSITION:

Destroy provided no litigation is pending

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 09/1993

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy provided no litigation is pending.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 11776

TITLE: Telephone solicitation registration records

(continued)

APPRAISAL:

Administrative

This disposition is based on the administrative need expressed by the agency.

PRIMARY CLASSIFICATION:

Protected

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1477

3

TITLE: Transient vendors receipts

DATES: 1988-2013.

ARRANGEMENT: Numerical by receipt number

ANNUAL ACCUMULATION:

DESCRIPTION:

These records document the yellow copies of the State Tax Commission temporary sales tax license and special returns from transient vendors. Information includes name, vendor, address, license number, and tax information.

RETENTION:

Retain 3 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 7, Item 50.

AUTHORIZED: 10/06/1999

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper copy: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 2 years and then destroy.

APPRAISAL:

Administrative

This disposition is based on the administrative needs expressed by the agency.

AGENCY: Department of Commerce. Division of Consumer Protection

SERIES: 1477

TITLE: Transient vendors receipts

(continued)

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Private. UCA 63G-2-302 (2008)